

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO
SAVERIN, DUSTIN MOSKOVITZ, ANDREW
MCCOLLUM, CHRISTOPHER HUGHES
AND THEFACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and
THEFACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC, CAMERON
WINKLEVOSS, TYLER WINKLEVOSS, and
DIVYA NARENDRA,

Counterdefendants.

**DEFENDANT EDUARDO SAVERIN'S NOTICE OF JOINING
CROSS-MOTION FOR PROTECTIVE ORDER FILED BY FACEBOOK
DEFENDANTS IN OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL**

On July 28, 2005, Plaintiff ConnectU LLC ("ConnectU") filed a motion to compel the production of mirror images of defendants' hard drives and documents created after May 21, 2004. (*See* Court Docket No. 37). On August 18, 2005, Defendant Eduardo Saverin opposed the motion to compel. (*See* Court Docket No. 42). Later that same day,

Defendants Mark Zuckerberg, Christopher Hughes, Andrew McCollum, Dustin Moskovitz, and TheFacebook.com (the "Facebook Defendants") also filed an opposition to ConnectU's motion to compel, along with a cross-motion for a protective order. (*See* Court Docket No. 43). The relief sought by the Facebook Defendants included a protective order that would prevent ConnectU from taking *any* further discovery until it provided adequate specification of its trade secrets. (*See* Court Docket No. 43 and accompanying proposed order filed therewith as Attachment 1).

Subsequent to the filing of the cross-motion for protective order by the Facebook Defendants, on August 22, 2005, ConnectU served a notice of deposition of Defendant Saverin. Counsel for Defendant Saverin takes the position that the deposition as noticed falls within the scope of the protective order sought by the Facebook Defendants, and that the deposition should not go forward until the Court rules on the pending cross-motion. Counsel for ConnectU has taken the position, however, that since Defendant Saverin has not formally joined in the cross-motion for protective order, the terms of that protective order would not run to his benefit, and therefore the pendency of the cross-motion should have no effect on ConnectU's ability to notice and take Mr. Saverin's deposition.

Defendant Saverin hereby provides notice that he joins in the Facebook Defendants' cross-motion for a protective order, adopts by reference the Facebook Defendants' briefing and argument in support of said protective order, and requests that the relief requested, should a protective order be granted, run to the benefit of Defendant Saverin as well as the Facebook Defendants.

Respectfully submitted,

EDUARDO SAVERIN

By his attorneys,

/s/ Daniel K. Hampton

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DATED: September 6, 2005

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